



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE LIFETRADE LITIGATION:

ORDER

17-CV-2987 (JPO)(KHP)

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KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

As discussed during the case management conference on November 2, 2022, the Court orders the following:

- Counsel for Plaintiff Mendoza de la Torre waived all individual claims de la Torre has against the remaining Defendants including any appeal rights and has withdrawn from this lawsuit. In light of this waiver, de la Torre shall not be required to sit for a deposition, notwithstanding this Court's prior order granting Wells Fargo's request to take his deposition. Because de la Torre failed to cooperate with scheduling and only indicated his desire to waive all rights, including appeal rights, three days before his scheduled deposition, Counsel for Wells Fargo may submit a motion for attorneys' fees incurred preparing for his deposition. That motion should be submitted by **January 31, 2023**.
- The Defendants shall have one additional hour for Derivative Plaintiff depositions.
- To the extent Plaintiff has moved for an additional hour of time to complete the deposition of Wells Fargo witness Michael Thomas, that request at ECF No. 810, 841, are 858 is granted.
- By **November 4, 2022**, Wells Fargo shall submit deposition transcripts from the recent deposition of two derivative plaintiffs.

- All briefing deadlines applicable to The Smith Estate will continue to be stayed until further notice from the Court. This Order relieves The Estate from having to submit any written submissions and respond to discovery requests. It does not stay any other aspect of the case with respect to the other parties.

As this order resolves the issues raised in the motion at ECF No. 882 and 890, the Clerk of Court is respectfully requested to terminate those motions.

SO ORDERED.

Dated: November 4, 2022
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge